

**REMARKS**

Reconsideration and allowance of the present application are respectfully requested. Claims 1, 3-9, 11-16, 18-23 and 25-30 remain pending in the application. By this Amendment claims 1, 4, 6-9, 11-16, 19-23, 26 and 28-30 are amended; and claims 2, 10, 17 and 24 are canceled. No new matter is added.

On page 2 of the Office Action, claims 7, 14, 21 and 29 are objected to for informalities. Specifically, the Examiner requires "RMON" to be spelled out. To address the Examiner's concerns, the relevant claims are amended to recite "a remote monitoring protocol." Support for the term can be found in the specification, e.g., at paragraph [00012]. Withdrawal of the objection to the claims is respectfully requested.

On page 2 of the Office Action, claims 9, 16 and 19-22 are objected to for informalities. Specifically, the Examiner alleges that "management computer" is not clear. While the Applicant traverses the Examiner's assertion, in the interest of advancing the prosecution of the application, the relevant claims are amended to recite a "computer." The specification is replete with support for the claimed computer, including paragraphs [0003], [0004] and [00019]; and 202 of Fig. 2. Withdrawal of the objection to the claims is respectfully requested.

On page 2 of the Office Action, independent claims 1, 9, 16 and 23, along with various dependent claims, are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 5,933,416 (Schenkel et al.). On page 4 of the Office Action, dependent claims 7, 14, 21 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Schenkel et al. patent, in further view of U.S. Patent 6,085,243 (Fletcher et al.). These rejections are respectfully traversed.

Applicant has disclosed a method and system of managing traffic in a first set of nodes of a computer network having a first set of nodes and a second set of nodes. As shown in Fig. 1, exemplary steps are illustrated for managing a computer network having first and second sets of nodes. For example, in block 102, a source associated with an amount of traffic over a first VLAN which exceeds a threshold is determined. This source can, for example, be outside a group of network elements assigned to the first VLAN (e.g., paragraph [0009]). In block 104, an indication of each top talker source is automatically displayed in response to determining the source. A management computer can display an identifier of each such source, and can indicate the level of network traffic associated with each source (e.g., paragraph [00013]). Applicant has further disclosed that the first set of nodes can be any designated group of one or more nodes and can, for example, be designated a first VLAN; whereas the second set of nodes can be any designated group of one or more nodes and can, for example, be designated as a second VLAN (e.g., paragraph [0008]).

The foregoing features are broadly encompassed by independent claim 1, which recites a method of managing traffic in a first set of nodes of a computer network having a first set of nodes and a second set of nodes, including among other features, determining a source associated with an amount of network traffic over the first set of nodes which exceeds a threshold, the source being outside a group of network elements assigned to the first set of nodes, wherein the first set of nodes is a first VLAN and the second set of nodes is a second VLAN, and are neither taught nor suggested by the documents relied upon by the Examiner in the Office Action.

On page 3 of the Office Action, the Examiner asserts that "Schenkel discloses various types of networks that can be employed, while a specific VLAN is not mentioned however one skilled in the art can deduce from disclosure that the topology of Schenkel can support a VLAN just as easily as a LAN." Applicant respectfully disagrees with the Examiner's ultimate conclusion.

As relied upon by the Examiner, the Schenkel et al. patent merely discloses a data communication network 1 comprising various subnetworks, e.g. routers, serial lines, multiplexers, Ethernet.TM. local area networks (LANs), bridges, hubs, gateways, fiber rings, multibridges, fastpaths, mainframes, file servers and workstations (col. 2, lines 51-57). While the Schenkel et al. patent further discloses that such a network can be local, confined to a reign, span a continent, or span the world (col. 2, lines 57-61), the disclosure does not teach a source sending an amount of network traffic over a first set of nodes, the source being outside a group of network elements assigned to the first set of nodes, as recited in claim 1. Further, the Schenkel et al. disclosure, as relied upon by the Examiner, does not relate to VLANs, and would not have taught or suggested specifically 1) the first set of nodes being a first VLAN and 2) the second set of nodes being a second VLAN, as recited in claim 1.

The Fletcher et al. patent does not cure the deficiencies of the Schenkel et al. patent. The Fletcher et al. patent was applied by the Examiner for its disclosure of an RMON manager used in conjunction with a probe. However, the Fletcher et al. patent does not teach a source sending an amount of network traffic over a first set of nodes, the source being outside a group of network elements assigned to the first set of nodes, as recited in claim 1. Further, the Fletcher et al. patent, as relied upon

by the Examiner, does not relate to VLANs, and would not have taught or suggested specifically 1) the first set of nodes being a first VLAN and 2) the second set of nodes being a second VLAN, as recited in claim 1.

Even if the references could have been combined in the manner asserted by the Examiner, the combination would not have resulted in a method of managing traffic in a first set of nodes of a computer network having a first set of nodes and a second set of nodes, including among other features, determining a source associated with an amount of network traffic over the first set of nodes which exceeds a threshold, the source being outside a group of network elements assigned to the first set of nodes, wherein the first set of nodes is a first VLAN and the second set of nodes is a second VLAN, as recited in claim 1.

For the foregoing reasons, Applicant's claim 1 are allowable. Claims 9, 16 and 23 recite similar features, and are also allowable. The remaining dependent claims recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.

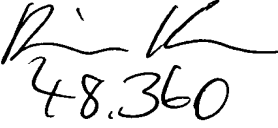
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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